

October 25, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: **Subscriber Acknowledgement Report (October 25, 2005)**  
**Lightyear Network Solutions, LLC; WC Docket No. 05-196**

Dear Ms. Dortch:

Lightyear Network Solutions, LLC ("Lightyear"), through its undersigned counsel and in response to the Public Notice issued by the Enforcement Bureau ("Bureau") on September 27, 2005 ("Public Notice"), submits this Subscriber Acknowledgement Report ("Report") to advise the Commission of the status of Lightyear's efforts to comply with Commission Rule 9.5(e). Lightyear previously filed Subscriber Acknowledgement Reports on August 10, September 1, and September 22, 2005 in response to the Bureau's prior public notices.

As requested in the Public Notice, Lightyear responds to the following questions set out in the Public Notice:

**1) The efforts that have been undertaken to obtain acknowledgments from the remainder of the Company's subscriber base.**

As detailed in response to question 4 in Lightyear's August 10 Report, as well as in the September 1 and September 22 Reports, Lightyear has distributed labels and sent the requisite advisories to all of its customers. Lightyear has continued its campaign to contact and obtain affirmative acknowledgment from all of its subscribers. Lightyear continues to send e-mails, to make telephone calls, and to restrict Account Manager access of those subscribers who have not affirmatively acknowledged the E911 disclosure.

Additionally, as detailed in the September 22 Report, Lightyear has implemented a "soft" disconnect procedure for those customers that have not yet provided affirmative acknowledgment. The "soft" disconnect allows affected customers to place 911 calls, but prevents the initiation of all other types of outbound calls. When a customer that has not provided affirmative acknowledgment picks up their phone to make a call, they will hear a simulated dial tone. If the customer attempts to place an outbound call other than to 911, the call is routed to a pre-recorded

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message informing the customer that they must provide affirmative acknowledgement in order to restore the full functionality of their VoIP service. The pre-recorded message instructs customers to access their Account Manager via the Lightyear website, log in with their VoIP number, complete the acknowledgement, and their outbound calling service will be fully functional. The pre-recorded message also provides customers with a toll free number to contact Lightyear's customer support center should they have any questions or need assistance in accessing their Account Manager.

**2) An explanation as to why the Company has been unable to achieve an acknowledgment percentage closer to 100%.**

Through Lightyear's continued notification campaign and soft disconnect procedures, the Company has received affirmative acknowledgments from the vast majority of its customers. As noted below, nearly all of Lightyear's customers have affirmatively acknowledged the notices provided by the Company. While the Company cannot state with specificity why the remaining few customers have not provided such acknowledgments to date, Lightyear can affirm that it continues to provide notifications to such customers, and will continue to do so until 100% affirmative acknowledgments are attained.

**3) The current percentage of acknowledgments the Company has received as of the date of this filing.**

As of October 19, 2005, Lightyear had obtained affirmative acknowledgement from approximately 98% of its subscriber base. As requested by the Bureau, Lightyear will inform the Commission when the 100% threshold is met.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Russell M. Blau". To the right of the signature, the number "1525" is handwritten.

Russell M. Blau

Ronald W. Del Sesto, Jr.

Counsel for Lightyear Network Solutions, LLC

cc: Byron McCoy (FCC)  
Kathy Berthot (FCC)  
Janice Myles (FCC)  
Best Copy and Printing, Inc.

I, Linda Hunt, state that I am Director of Legal and Regulatory Affairs, of Lightyear Network Solutions, LLC; that I am authorized to submit the foregoing *Subscriber Acknowledgment Report* ("*Report*") on behalf of Lightyear Network Solutions, LLC; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that this report is true and correct to the best of my knowledge, information, and belief.

A handwritten signature in cursive script, reading "Linda Hunt", written over a horizontal line.

Name: Linda Hunt

Title: Director of Legal and Regulatory Affairs  
Lightyear Network Solutions, LLC